

G. R. S. 58]

May be preserved.

Previous references.

C5160-83-7

1915.16

(Courts)

29/6/27

File No.

106-15

Serial Nos.

1-5

Later references.

C5229-15 (1-4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

1-5

Part B for

Nov 15

SUBJECT.

Appearance of public prosecution before Sessions Courts for the support of conviction by the Magistracy & engagement of Mr. Shanmuganarain Rao, Adv. to appear on behalf of Govt in two appeals before the Sessions Judge. Shimoga

5) To the Dm, Chitaldrug }
" Dm. of DS. } 1950-9
" Regtr, Ch Co } 20/11
" I.G. of Police } '15

Govt consider that the only crl appeals in Sessions courts which may be taken up by the

GPB-20,000-223-13

M. G. H. S.

7.12.15

P.T.O.

The Public Prosecutor are those in
which he is retained by the court after
the institution of the appeal & in which
the Dt Magt does not require his appearance
for the Govt & that it is his duty to
ascertain whether his services are reqd.
by Govt before he appears for a
person who has been convicted in a
Magt's Court.

Serial
No.

request sanction of Govt. to the engagement of Mr. Sankaranarayanan to support the Council here.

1) Sd/- with CS 160 of 190374 for orders.
kg.

7.10.15 2) It seems to me that the interpret.

cb
7/10 -ation put by the Public Prosecutor on Rule 4 of the Rules framed by Govern.

ment is ~~not~~ neither correct nor sound.

Rule 4(a) clearly shows ~~that~~ what duties the Public Prosecutor may be asked to perform without any remuneration being paid for his service. (Vide Rule 7).

He is bound to support convictions in Sessions courts and shall act as the representative of the Government in those courts.

Government are not liable to pay him anything for these. The proper construction is that he is bound to support the conviction in all important cases whenever he is asked to do so. As a rule, he should not be troubled with this duty, unless the cases are of importance. In such cases it is not left to the Public Prosecutor to refuse the brief on the ground that he has filed the appeal on behalf of the accused. From the very

Serial
No.

nature of the appointment, he could not take up the brief for an accused unless the consent of the District Magistrate is previously obtained. The question of "interest and importance" of a case is one left to the discretion of the D. Magistrate. It may be expected that he will use his discretion in a judicial manner.

3) Mr. Ramachandra Rao's intention that the Public Prosecutor will be practically precluded from filing appeals on behalf of the accused ~~through~~ and that they are not paid anything for arguing these appeals is not very clear. One of the conditions of his appointment is that he should ~~do the~~ support the conviction in Sessions Court. The salary that he gets must be held to be also for this work.

4) Under these circumstances, it seems inequitable that Govt. should be asked to pay for engaging ^{any} Counsel to support the conviction.

5) The salary now paid is no doubt inadequate, but that is a different question, and a proper representation may be made for raising

E. R. S. 12]

General and Revenue
Secretariat.

cb File No. 106 of 1915-16

Serial
No.

it. The question is under the consideration
you got.

6) If approved, the practice in this
division may be ascertained, and the
Chief Court and the Govt Advocate may
also be consulted as the question involved
is an important one.

7) Submitted for favour of
orders.

Es
8/10

Dist. Member)

8) I cannot make out to
what dates these appeals are
posted.

9) The question raised is
a difficult one. It would
probably be too hard on
Public Prosecutors to debar
them from taking up Crimi-
nal appeals altogether in
Sessions Courts. The rule
as it stands (in the absence
of any clear precedent) does
not seem to prohibit them

1027

(5)

G. R. S. 12]

General and Revenue
Secretariat.

File No. 106

of 1915.

Serial
No.

doing so. The only satisfactory way of arranging the matter however seems to be to prohibit such practice.

(i) The opinion of the Chief Court may be taken.

(ii) In the meanwhile some arrangement should be made to conduct the defence. As certain date. A fee not exceeding 25 Rs a case may be fixed & the D.M. asked to arrange. Separate order may be passed after receiving the Ch Ct's opinion as to whether the P.P. should pay it.

[Signature]
11/10/15

CP
13/10

Put up draft at once

12) Dapi to D.M. Chitaley, 5th. 13/10
kg.

12/10/15

(13)

Issue

B

13/10

NOTE—Contn. sheet.

Serial
No.

3

~~4 To~~ In D. M., Chitalmy Dist
No 71446 of 13.10.15

Enquires to what date the appeals
stand posted and requests that arrange-
ment may in the meanwhile be made
for the support of the conviction at a fee
not exceeding Rs 25/- for each case.

4

From the same officer
Camp No 45 of 21.10.15

States that the cases have been posted
for hearing on the 28th & 29th Oct 1915.

(4) Sub^d. may the opinion of the Chief Court
be taken now?

leg.
25.10.15

15/7/15 Draft

Es
25/10

R.T.C.

Serial
No.

J. U. O. 16 of 15

29/11/15

16) Forwarded unofficially to the Registrar, Chief Court, for favour of obtaining the opinion of the judges of the Chief Court on the points referred in paragraphs 9 & 11 of these notes.

By order

B. Srinivasa Rao

for Secy to Govt

Genl Dept.

No. 2073 of 3rd Nov 15

III 19/11/15

The Chief Judge :-

17) In my opinion the only criminal appeals in Sessions Courts which can be taken up by the Public Prosecutor are those in which he is retained by the convict after the institution of the appeal and in which the District Magistrate does not require his appearance for the Government: He cannot properly institute any appeal: it is his duty to ascertain whether his services are wanted by the Government before he appears for a convict, and he cannot ascertain that until the appeal has been instituted.

18) It seems clear to me that it is his duty to wait, and if that occasionally results in pecuniary loss to him it is probable that year in and year out he does not lose. If he does, he

G. R. S. 12]

General and Revenue
Secretariat.

c5 File No. 106

of 1915-16

Serial
No.

must give up his appointment or bear the loss.

It is true that there is no separate remuneration for opposing appeals on behalf of the Government but that is part of the work for which he is paid a salary.

19) It may be that better terms are required to secure the services of good men on these conditions, but that is another question.

20) As to requiring him to pay the fee of the Government Counsel that strikes me as a most unsatisfactory arrangement. It would be better for the Government to deprive him of his appointment, rather than fine him the amount which his conduct has cost them. The Government cannot leave it to the Public Prosecutor to retain and pay his opponent himself, and if the Government retains an Advocate on its own terms and requires the Public Prosecutor to pay, there may be difficulty as to the amount. But that is a matter for the Government to settle in each case and not a question of interpretation of rule, or a matter in which uniformity of action is necessary.

Mr. Justice K.S. Chandrasekhara Aiyar:-

21) I agree with the Chief Judge.

Mr. Justice T. Paramasiva Iyer :- 22) I agree.

H. S.opalane

Serial
No.23) Put up draft proceedings in accordance
with the above view.

ES

18/11

Ck
12/11

24) Draft order no.

U.S. M. The irregular action of the Public Prosecutor
13/11/15 - has cost add expenditure to Govt. and it is a point
for order as to what action should be taken for recovery.ES
15/11

Dist. Member)

As there was no express
direction in the matter hitherto,
the levy of the additional fee
paid does not seem necessary.

15/11/15
16/11

Issue

ES 16/11

5

To The D. M. Chitaldong and other districts.

The Registrar Chief Court

The S. G. of Police.

no 9 1950-9

20-11-15

States that the Public Prosecutor is bound
to support in appeal without extra fee.

G. R. S. 12]

General and Revenue
Secretariat.

CS File No. 106 of 1915. 16

Serial No.	
	enumeration, convictions by the Magistrate
	when required by the D.M. and informs
	them the opinion of the Chief Judge in the
	matter

cl's
From
1915
The District Magistrate
Chitaldroog

GPB-100,000-7-8-13

To
The Secretary to the Govt.
of Mysore
General Department.

Dated 2nd October 13

Despatched

Received

General No. 172
No.

Enclosure No. 4

Soliciting instructions in the
matter of duties of Pabbai.
Prosecutors in reporting in
Captions (out of convictions
by Magistrate appealed against
in important cases).

12)
U r g e n t.

Office of the District Magistrate,

Chitaldrug District.

Dated Chitaldrug, 2nd October 1915.

From

C. S. Balasundaram Iyer Esquire B.A.,

District Magistrate,

Chitaldrug.

DIARY No. *f 988*

To

D. M. Narasinga Rao Esquire B.A., B.L.,

Secretary to the Government of

H. H. the Maharaja of Mysore,

General Department, Bangalore.

1915-1916	
SECTION	CS
SERIAL	106-15
FILE No.	1

S I R,

I have the honor to invite your attention to Government Proceedings No.1932-85/J.137 of 1902-03 dated 16th March 1904, defining the duties of Government Advocates and Public Prosecutors and to observe that in para 4 of the order one of the duties of the Public Prosecutor is stated to be to support convictions by the Magistracy in Sessions Courts when required by the District Magistrate in cases considered by him to be of special interest and importance. *N*

2. With reference to the performance of ~~this~~ duties, I enclose herewith copies of correspondence between the Superintendent of Police, the District Magistrate and the Public Prosecutor, Shimoga Division, in regard to his filing ~~000~~ appeals in certain cases, in which it was and is considered necessary that the conviction should be supported in the Sessions Court. In Mr. Thyagaraja Iyer's letter of 13th April 1915 to the Public Prosecutor, it was suggested that the Public Prosecutor should make previous reference to the District Magistrate before filing appeals on behalf of convicted persons, but in his letter of the 24th September 1915, the Public Prosecutor urges that this course would be inconvenient. He also lays stress on the circumstance that the Public Prosecutors are not separately remunerated for representing Government in appeals before the Sessions Courts.

3. It will be seen that he has recently filed appeals in criminal cases 47 and 63 on the file of the Assistant Commissioner

and 1st Class Magistrate, Chitaldrug Sub Division. Both these cases are of an important character, in one of which a Police Constable deputed to preserve order in a factious village was assaulted in the execution of his duty and in the other of which there was a serious rioting. 13

4. I consider it essential that these cases should be represented by counsel in the Sessions Court and in the usual course of things the Public Prosecutor would have been requested to appear in them.

5. Now that he has filed appeals himself, other counsel will have to be engaged and I am doubtful whether suitable counsel will be available for the fees laid down in para 7 of the Government order of March 1904.

6. I understand that one pleader of Chitaldrug wants a fee of Rs 100 (inclusive of travelling expenses) to take up one of these cases i.e., case No. 47 and a fee of Rs 125 for the two cases together if they are heard on the same day. I have not ~~communicated~~ communicated with any Advocates or Pleaders in Shimoga and even in that case, I believe the cost would be equally heavy.

7. In bringing these facts to the notice of Government, I wish to draw attention to the circumstance that a good deal of inconvenience, delay and expense will be caused to Government, if Public Prosecutors are at liberty to take up appeals against convictions and if Government is obliged to engage counsel in each case.

8. There is perhaps force in the argument of the Public Prosecutor that his present remuneration is inadequate and that he would be seriously handicapped in his profession if he is precluded from taking up appellate criminal work on behalf of private parties. It is however a matter which I must leave for the decision of Government and I would only suggest that if Government accepts his argument, one solution might be that the Public Prosecutor may be paid for appearance on behalf of

Government in such appeals at the rates specified in sub para 3 of para 7 of the Government order of 16th March 1904 i,e, at the rate of Rs 16 @ for each days attendance. In any case the matter is an important one and I solicit the definite orders of Government at an early date.

I have the honor to be,

S I R,

Your most obedient servant,

Chitaldrug District

District Magistrate,

Chitaldrug District.

S.V.

kes

(14)

D. O. letter dated 1st October 1915 from the Public
Prosecutor, Shimoga, to the District Magistrate, Chitaldrug.

Encls 5
106-15

I have again to inform you that I have filed an appeal
in C.C. No.47 of 1914-15 against the conviction and sentence passed
by the First Class Magistrate of Chitaldrug Sub Division. I am
awaiting your kind reply to my previous letter regarding my appear-
ance in criminal appeals for appellants.

I thank you for your kind D. O. and shall certainly see
you when I go there next time.

%%%%%%%%%

" C O P Y."

Chitaldrug

District Magistrate,

S.V.

Chitaldrug District.

AS

15

D. O. letter dated 24th September 1915 from the Public
Prosecutor, Shimoga, to the District Magistrate, Chitaldrug.

I desire to invite your kind attention to Government Proceedings No.1932-85/J.137 of 02-03 dated 16th March 1904, para 4, clause (a) which runs as follows:-

"4. Duties of Public Prosecutors:- The duties of Public Prosecutors appointed by Government under the Criminal Procedure Code are as follows:-

(a) They will conduct all prosecutions before sessions Courts and when required by the District Magistrate but only in cases considered by him to be of special interest and importance, support convictions by the Magistracy in Sessions Courts."

I have underlined the clause. It is clear that Public Prosecutors are not precluded from filing criminal appeals on behalf of the accused. You will also kindly see the impracticability of working out the above rule. Clients will not wait and if previous permission has to be obtained, it comes up to this that practically no criminal appeal can be filed by Public Prosecutors who are not paid anything for arguing these appeals. The object of Government is to minimise the criminal appellate work of Public Prosecutors as they are not paid any extra amount for this.

Taking this view of the matter, I have filed yesterday an appeal on behalf of the accused in C.C. No.63 of 1914-15 on the file of the 1st Class Magistrate of Chitaldrug Sub Division (Govt: VS.

1. Veerava & 2. Lakshminaranappa) You will be so good as to instruct any other practitioner to *oppose* the appeal in the Sessions Court, if you think it necessary.

If you should however think that I should arrange for a Vakil to argue in favor of conviction, I shall authorise somebody here to support the conviction, paying for it myself.

I shall thank you for favor of an early reply.

%%%%%%%%%

" C O P Y."

Malleswari

District Magistrate,
Chitaldrug District.

S.V.

15

116

Docket No.397 dated 13th April 1915 from the District
Magistrate, Chitaldrug, to the Public Prosecutor, Shimoga Division.

In inviting his reference to para 4(a) of Government order
No.1932-85/J.137-02-03 dated 16th March 1904 requiring Public Prose-
cutors to conduct all prosecutions before Sessions Courts and to
support convictions by the Magistracy, in appeals, if they are of
special importance and interest, has the honor to request that he will
be so good as to state whether in the marginally noted case, he should

Criminal appeal No.12 of 1914-15 on
the file of the Sessions Judge, Shimoga.

Appellants.

Respondent.

Mudiya & others.
(of Rangahalli,
Hiriyur Taluk).

Government.

not have made a previous
reference to the District
Magistrate before taking
vakalats from the convicted
accused.

%%%%%%%%%

" C O P Y . "

C. S. Salapin
District Magistrate,

S.V.

Chitaldrug District.

kes

Letter No.734 dated 9th March 1915 from the Superintendent
of Police, Chitaldrug, to the District Magistrate, Chitaldrug.

From

1915-16

The District Magistrate,
Chitaldrug

To

The Secretary to Government,
General Department.
Bangalore

Dated

Despatched

5th Oct. 1915

Received

General No. 175

No.

Enclosure No.

One

Requesting sanction to
the engagement of Mr. Shankar
-Narayana Rao M.A., B.L., Advocate
Shimoga to appear on behalf
of Govt. to support the conviction
in cr. case nos 47 & 63 on the
file of the 1st class Magistrate, Chitaldrug
Sub 52 in the Court of the Session
Judge, Shimoga. One

(8)

Office of the District Magistrate,
Chitaldrug District.

Dated Chitaldrug, 5th October 1915.

From

C. S. Balasundaram Iyer Esquire B.A.,

District Magistrate,

Chitaldrug

To

D. M. Narasinga Rao Esquire B.A., B.L.,

Secretary to the Government of

H. H. the Maharaja of Mysore,

General Department, Bangalore.

1027

10/5-10/16
SECTION 95
FILE NO. 106-15
SERIAL No. 2

S I R,

In inviting reference to this office No.172 dated the 3rd instant soliciting definite orders of Government regarding the duties of Public Prosecutors, I have the honor to enclose herein a memo of the Police Superintendent of this District in the matter of engaging suitable counsel to support the conviction by the Magistracy in the Court of Sessions, Shimoga, Division, in two important appeals.

2. Mr. Ramachendra Rao, Public Prosecutor of Shimoga Division, has filed appeals on behalf of the convicted persons in the two cases referred to in the above memo of the Police Superintendent, and he is not therefore available to support the convictions in the Sessions Court. The said two cases are of an important character and it is absolutely necessary in the Government interest to engage counsel to support the conviction in the court of session.

3. In these circumstances, I request sanction to the engagement of Mr. Sankaranarayana Rao M.A., B.L., Advocate, Shimoga, to appear on behalf of Government and to support the conviction.

4. Early orders of Government are solicited in the matter.

I have the honor to be,

S I R,

Your most obedient servant,

C. S. Balasundaram Iyer

District Magistrate,
Chitaldrug District.

S.V.

Res

Memo

(19)
Encl. to C5
106 15✓

I beg to state that Mr. S. Narayana Rao, First class Magistrate of The Chitaldroog Revenue Sub-Division, has passed judgment

in Cases nos. $\frac{47}{14-15}$ & $\frac{63}{14-15}$ on the file of his Court Convicting some of the accused persons in both the cases. Case no: 47 is one of rioting and Case no 63 is one of assault on a Police Constable.

Both these Cases relate to Siddavanahally Village of the Chitaldroog Taluk. It is one of the largest and wealthiest of Villages and the accused persons, of whom the Patel is one, are the most prominent of its Villagers. The rioting was also of a serious

20
Nature in which two persons were
hurt and were held up for two
days from complaining to the
authorities.

Case No. 63 arose out
of a Constable being posted
to maintain order in the same
village and to his being assaulted
in the discharge of his duties.

Thus it will appear that
both the cases are of special
importance in as much as
they are the outcome of the
high handedness of wealthy
and influential ryots in
defiance of constituted au-
thority.

The Public Prosecutor
has filed appeals in both
the cases and as such the
employment of a competent
legal practitioner is necessary

to support the Convictions in
both the Cases in Sessions. ⁽²⁾ Mr.
Shankara Narayana Rao M.A.B.L.
has agreed to support the Con-
-viction in the Cases and as
such he may be employed.

D/5-10-15

Machia.
Dist: Superintendent of
Police.
Blital 2500 g D⁴

SUBJECT.....

Diary No. of letter replied to.....

Section *cb*

File No. *106-15*

Serial No. 3

General and Revenue Secretariat

()
, the

191

No. *91446*.

Date of issue

13/10/1915.

To

The District Magistrate

Signed by

Mr. G. Sreenivasa Reddy

Chitalong

Sir,

*Adverting to your letter
numbered with No 175 dated 5th Oct
1915 requesting sanction of Govt to
the engagement of the services
of Mr Shanikrishnanarayana Rao,
Advocate, to appear on behalf
of Govt before the District Judge,
Shenoi, to support the case
over.*

23)

have passed in all cases no 47
63 of 1914-15 on the file of the
Hon'ble Mr. Justice, Chitralmy
Subdivision, I am directed
to enquire to what date the
appeals stand posted and to
request that in the meanwhile
arrangement may be made
for the support of the commission
at a fee not exceeding Rs 25/-
for each case.

I have to

for see 13/10/15

Genl Dept.

List of enclosures.

13/10/15

Copied by 7/12/15
Examined by

1915-15

From

B. S. Balasundaram Esq.,
District Magistrate
Chitaldrug

To

S. M. Narasinga Rao Esq.,
Secretary to the Government of
H. H. the Maharaja of Mysore
General Department

Dated 21st October 1915Despatched 22nd

Received

Comp
General No. 45

No.

Enclosure No. 4

Reporting that the appeals
filed by the Public Prosecutor,
Shimoga Division in Criminal
Cases Nos 47 and 63 of 1914-15
on the file of the Assistant
Commissioner and 1st class
Magistrate, Chitaldrug Sub.
have been posted for hearing
in the Sessions Court, Shimoga
Division, on the 28th and 29th
October 1915.

J 1139A

Camp No 45

Office of the District Magistrate,
Chitaldrug District.

Dated Camp Mysore, 21st October 1915

From

C. S. Balasundaram Iyer Esquire B.A.,

District Magistrate,

Chitaldrug.

Immediate

A. S. III

over

23/10

C5 106-15-4

To

D. M. Narasinga Rao Esquire B.A., B.L.,

Secretary to the Government of

H. H. the Maharaja of Mysore,

General Department, Bangalore.

S I R,

Adverting to your letter No. J.1446/Cts.106-15-3 dated 13th October 1915 enquiring as to what date the appeals filed by the Public Prosecutor, Shimoga Division in criminal cases Nos. 47 and 63 of 1914-15 on the file of the Assistant Commissioner and First Class Magistrate, Chitaldrug Sub Division stand posted, I have the honor to state that the said cases have been posted for hearing in the Sessions Court, Shimoga Division, on the 28th and 29th October 1915.

I have the honor to be,

S I R,

Your most obedient servant,

C. S. Balasundaram Iyer

District Magistrate,

Chitaldrug District.

S.V.

G.R.S. 28]

Re support of commission by the Mayishale, 25

less: cons by the Public Prosec

17/4

CS File No. 106-15

Serial No. 5

Diary No. of letter replied to

GENERAL AND REVENUE
SECRETARIAT.

()

Proceedings of the Government of His Highness
the Maharaja of Mysore

READ—

the

191 .

Date of issue 20th November 1915

Signed by Mr. G. Sreenivasa Rao.

Letter No 172 dated 2nd Oct 1915 from
the District Magistrate, Chitalang

District, forwarding for the order of

Genl copies of correspondence between

~~ORDER THEREON.~~ No.

the District Supt of Police, the
District Magistrate, Chitalang,
and the Public Prosecutor, Shimoga
Division, in the matter of the ap-
pearance of the Public Prosecutor
as over.

SUBJECT.

48
17/4

26)

on behalf of appellants in Criminal appeals against the convictions passed by the Magistrate without previously ascertaining from the District Magistrate concerned whether he would require the convictions being supported in appeal.

2) Correspondence ending with letter/^{camp}no. 45 dated 21st Oct 1915 from the same officer in the matter.

Order thereon - no. J 1950-9.

According to Rules 47 printed

with Govt order no. 1932-85-J137

of 2-3 dated 16th Mar 1904, the Public Prosecutor is bound in appeal, without extra remuneration, to support ~~the~~ convictions by the Magistrate

when so required by the District

Magistrate without extra remuneration.

~~This is a part of his work for which he is paid a salary.~~

The question of the interest and

importance of a case is one

left to the discretion of the District

Magistrate.

2. ~~In the above view~~ Accordingly

Govt consider that the only

Criminal appeals in Sessions

G.R.S. 27]

GENERAL AND REVENUE
SECRETARIAT.

(Continuation sheet draft form.)

127
Cases which may be taken up by
the Public Prosecutors are those in
which he is retained by the Council
after the institution of the appeal
and in which the Dist. Magistrate
does not require his appearance
for the Govt and that it is his
duty to ascertain whether his
services are required by the Govt
before he appears for a ~~conviction~~
a person who has been
convicted in a Magistrate's Court

Sd/-

Secy to Govt.

15/4/15

Genl. Dept.

To The District Magistrate,

Chitalmoy Dist.

The Dist. Magistrate of Medinipur

The Deputy Magistrate, Chief Court.

The S.D. of Police

Print,
standing order.

103. 922.
13/11/15

S. O.

2

**Appearance of Public Prosecutors on
behalf of Convicts in Criminal Ap-
peals.**

No. J. 1950-9—Cts. 106-15-5, DATED 20TH NOVEMBER 1915.

**PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.**

GENERAL AND REVENUE DEPARTMENTS.

READ—

Letter No. 172, dated 2nd October 1915, from the District Magistrate, Chitaldrug District, forwarding for the orders of Government, copies of correspondence between the District Superintendent of Police, the District Magistrate, Chitaldrug, and the Public Prosecutor, Shimoga Division, in the matter of the appearance of the Public Prosecutor on behalf of appellants in Criminal appeals against the convictions passed by the Magistracy without previously ascertaining from the District Magistrate concerned whether he would require the convictions being supported in appeal.

2. Correspondence ending with letter Camp No. 45, dated 21st October 1915, from the same officer in the matter.

Order No. J. 1950-9—Cts. 106-15-5, dated the 20th November 1915.

According to Rules 4 and 7 printed with Government Order No. 1932-85—J. 137 of 02-03, dated 16th March 1904, the Public Prosecutor is bound to support in appeal, without extra remuneration, convictions by the Magistracy when required by the District Magistrate. The question of the interest and importance of a case is one left to the discretion of the District Magistrate.

2. Accordingly Government consider that the only Criminal appeals in Sessions Courts which may be taken up by the Public Prosecutor are those in which he is retained by the convict after the institution of the appeal and in which the District Magistrate does not require his appearance for the Government and that it is his duty to ascertain whether his services are required by the Government before he appears for a person who has been convicted in a Magistrate's Court.

Secy. to Govt., Gen. Dept.

To—The District Magistrate, Chitaldrug District.
The District Magistrates of other Districts.
The Registrar, Chief Court of Mysore.
The Inspector-General of Police in Mysore.

Exd.—G. R.

**Government of His Highness the Maharaja
of Mysore.**

GENERAL AND REVENUE DEPARTMENT.

G. O. No. J. 1950-9—Cts. 106-15-5, dated 20th Nov. 1915

Appearance of Public Prosecutors on behalf of Convicts in Criminal Appeals.

Passes orders regarding the